

09-27-04

RCE

JFW

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/293670-Conf. #5176
	Filing Date	April 16, 1999
	First Named Inventor	Joseph FISHER
	Art Unit	1639
	Examiner Name	T. D. Wessendorf
	Attorney Docket Number	RGV-006CPRCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other Information Disclosure Statement Filing Fee (\$180.00)
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	DeAnn F. Smith	Registration No. (Attorney/Agent)	36,683
Signature		Date	September 24, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV419926313US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 24, 2004

Signature: (DeAnn F. Smith)

09/27/2004 CCHAU1 00000209 120080 09293670

02 FC:2801

385.00 DA



Docket No.: RGV-006CPRCE
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Fisher, et al.

Application No.: RCE of 09/293670

Group Art Unit: 1639

Filed: April 16, 1999

Examiner: T. Wessendorf

For: MULTIPARAMETER FACS ASSAYS TO
DETECT ALTERATIONS IN CELLULAR
PARAMETERS AND TO SCREEN SMALL
MOLEUCLE LIBRARIES

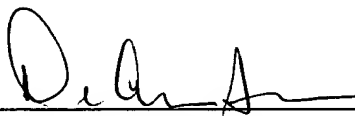
MS RCE
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail Receipt No. EV419926313US in an envelope addressed to: MS RCE, Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, on the date shown below.

September 24, 2004
Date of Signature and of Mail Deposit

By:


DeAnn F. Smith, Esq.
Registration No. 36,683
Attorney for Applicants

AMENDMENT AND RESPONSE

Dear Sir:

This communication is in response to the Office Action dated March 26, 2004. Please amend the application as follows:

Amendments to the Specification begin on page 3 of this paper

Amendments to the Claims begin on page 4 of this paper

Remarks begin on page 5 of this paper